

RECEIVED
CENTRAL FAX CENTER

OCT 05 2006

REMARKS:

Objections:

The Examiner has objected to claims 5 and 20 because of phrases that lack proper antecedent basis, and because of other informalities. Claims 5 and 20 have therefore, been amended to overcome these objections.

Rejections:

The Examiner has rejected claims 1-3, 5, 9-18 and 20 under 35 U.S.C. 103(A) as being unpatentable over Lin et al. (US 6,127,053) in view of Werner (US 2002/0171163 A1). Claim 1 of the present Application recites as one of its elements, "first and second compressive layers formed above said first and second recessed portions of said shield." A "compressive" material is defined on page 13, lines 13-15 as, "a material which when formed with a discontinuity, such as that provided by magnetoresistive element 309, tends to want to expand into the discontinuity rather than retract from it as some other materials would do."

The Examiner states that all of the layers of the sensor disclosed by Lin et al. are compressive, because of the lapping induced uniaxial tensile stress in the sensor. It is unclear to the Applicant how a "tensile" stress can cause the sensor layers to be compressive. However, even if these layers were under a compressive stress this would make them "compressed" layers rather than "compressive" layers. There is simply no teaching in any of the references that suggests using a compressive material as described in the specification in a sensor structure to increase magnetostriction induced magnetic anisotropy.

Therefore, the Applicant strongly believes that none of the references teaches the use of a compressive layer as recited in claim 1, and that claim 1 is therefore allowable as filed. Similarly, claim 20 which recites a sensor having a compressive

RECEIVED
CENTRAL FAX CENTER

OCT 05 2006


layer is also allowable over the prior art. Because claim 1 is allowable, claims 2-19, which depend from allowable claim 1 are also necessarily allowable over the prior art.

The Examiner has also rejected claims 7 as being unpatentable over Lin et al, in view of Werner, further in view of Marinero, and has rejected claim 8 as being unpatentable in view of Lin et al, in view of Werner in further view of Pinarbasi. These rejections are, however, moot in light of the patentability of claim 1, from which these claims depend.

The Applicant has also added a new claim 21 which recites that the compressive layer comprises Rh. Support for this additional claim can be found on page 13, lines 16-17.

The Applicant believes that all of the claims are now in condition for allowance. A notice of allowance is, therefore, sincerely requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 971-2573. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-2587 (Order No. HSJ920030272US1).

Respectfully submitted,

By: 
Ronald B. Feece
Reg. No. 46,327

Date: October 5, 2006

Zilka-Kotab, PC
P.O. Box 721120
San Jose, California 95172-1120
Telephone: (408) 971-2573
Facsimile: (408) 971-4660

HIT1P068/HSJ9-2003-0272US1

8